

REFERENCE TITLE: **mailed early ballots; delivery time**

State of Arizona
House of Representatives
Forty-eighth Legislature
First Regular Session
2007

HB 2768

Introduced by
Representatives Mason: Brown, Konopnicki

AN ACT

AMENDING SECTIONS 16-548 AND 16-551, ARIZONA REVISED STATUTES; RELATING TO CONDUCT OF ELECTIONS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:
2 Section 1. Section 16-548, Arizona Revised Statutes, is amended to
3 read:

4 16-548. Preparation and transmission of ballot

5 A. The early voter shall make and sign the affidavit and shall then
6 mark his ballot in such a manner that his vote cannot be seen. The early
7 voter shall fold the ballot, if a paper ballot, so as to conceal the vote and
8 deposit the voted ballot in the envelope provided for that purpose, which
9 shall be securely sealed and, together with the affidavit, delivered or
10 mailed to the county recorder or other officer in charge of elections of the
11 political subdivision in which the elector is registered or deposited by the
12 voter or the voter's agent at any polling place in the county. In order to
13 be counted and valid, the ballot must be received by the county recorder or
14 other officer in charge of elections or deposited at any polling place in the
15 county no later than 7:00 p.m. on election day EXCEPT THAT ANY VOTED BALLOTS
16 DELIVERED BY UNITED STATES MAIL MUST BE RECEIVED BY THE COUNTY RECORDER OR
17 OTHER OFFICER IN CHARGE OF ELECTIONS NO LATER THAN 7:00 P.M. ON THE ____ DAY
18 AFTER ELECTION DAY.

19 B. If the early voter is an overseas citizen, a qualified elector
20 absent from the United States or in the United States service, a spouse or
21 dependent residing with the early voter or a qualified elector of a special
22 district mail ballot election as provided in article 8.1 of this chapter, the
23 early voter may subscribe to the affidavit before and obtain the signature
24 and military identification number or passport number, if available, of any
25 person who is a United States citizen eighteen years of age or older.

26 Sec. 2. Section 16-551, Arizona Revised Statutes, is amended to read:
27 16-551. Early election board

28 A. The board of supervisors or the governing body of the political
29 subdivision shall appoint one or more early election boards to serve at
30 places to be designated by the board of supervisors or the governing body to
31 canvass and tally early election ballots. Members of early election boards
32 shall be selected in accordance with the provisions for selecting members of
33 regular election boards as provided in section 16-531.

34 B. If an electronic voting system is in use for early voting, the
35 early election board shall consist of at least one inspector and two judges
36 who shall perform the processing requirements in accordance with the rules
37 issued by the secretary of state. The inspector and judges shall be
38 appointed in the same manner by party as provided in section 16-531.

39 C. All early ballots received IN PERSON by the county recorder or
40 other officer in charge of elections before 7:00 p.m. on election day, ALL
41 EARLY BALLOTS RECEIVED BY UNITED STATES MAIL BY THE COUNTY RECORDER OR OTHER
42 OFFICER IN CHARGE OF ELECTIONS BEFORE 7:00 P.M. ON THE ____ DAY AFTER ELECTION
43 DAY and the original affidavit of the voter shall be delivered to the early
44 election boards for processing as provided in the rules of the secretary of
45 state. The office of the county recorder or other officer in charge of

1 elections shall remain open until 7:00 p.m. on election day for the purpose
2 of receiving early ballots **AND SHALL REMAIN OPEN UNTIL 7:00 P.M. ON THE ____**
3 **DAY AFTER ELECTION DAY FOR THE PURPOSE OF RECEIVING EARLY BALLOTS DELIVERED**
4 **BY UNITED STATES MAIL.** In no event shall partial or complete tallies of the
5 early election board be released or divulged before all precincts have
6 reported or one hour after the closing of the polls on election day,
7 whichever occurs first.

8 D. The necessary printed blanks for poll lists, tally lists, lists of
9 voters, ballots, oaths and returns, together with envelopes in which to
10 enclose the returns, shall be furnished by the board of supervisors or the
11 governing body of the political subdivision to the early election board for
12 each election precinct at the expense of the county or the political
13 subdivision.